

STATE OF RHODE ISLAND  
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH  
HEALTH SERVICES REGULATION  
BOARD OF PHARMACY

vs.

STEVEN ARRUDA, R.Ph.  
(RPH02355)

CONSENT ORDER

Pursuant to Rhode Island General Laws (1999 Reenactment) Section 5-19.1-21 and the Rules and Regulations promulgated thereunder, the Department of Health, Board of Pharmacy (hereinafter "Department") upon a request submitted by Steven Arruda, R.Ph. (hereinafter "Respondent") that his license as a pharmacist, having been surrendered, be reinstated. That on July 2, 2006 Respondent executed a Consent Order with the Board wherein he did voluntarily surrender his license as a pharmacist indefinitely for unprofessional conduct in that, on or about June 2006, while employed at CVS Pharmacy, Store #733 in Warwick, Rhode Island, Respondent did fraudulently fill prescriptions for his own use.

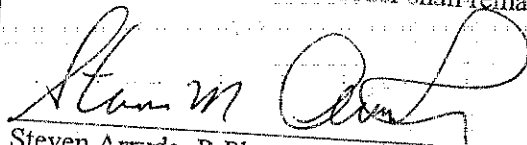
After consideration by the Department, it was agreed by and between the parties:

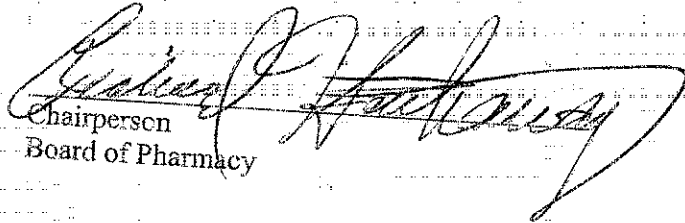
1. Respondent is a pharmacist licensed to practice pharmacy in the State of Rhode Island.
2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Department and is subject to the final approval by the Department. This Consent Order and the contents thereof are not binding on Respondent until final approval by the Department.
4. Respondent hereby acknowledges and waives:
  - a) The right to appear personally or by counsel or both before the Department;
  - b) The right to produce witnesses and evidence in his behalf at a hearing;

- c) The right to cross-examine witnesses;
  - d) The right to have subpoenas issued by the Department;
  - e) The right to further procedural steps except for those specifically contained herein;
  - f) Any and all rights of appeal of this Consent Order;
  - g) Any objection to the fact that this Consent Order will be presented to the Department for consideration and review;
  - h) Any objection to the fact that it will be necessary for the Department to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
  - i) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order to the Department.
5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties.
6. Acceptance by the Respondent and approval by the Department of this Consent Order constitutes an admission of the facts contained herein.
7. Failure to comply with the Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.
8. That the Respondent's license to practice as a pharmacist is reinstated and that Respondent shall serve at least a two (2) year period of probation subject to the terms and conditions set forth in this Order.
9. That said probationary period shall commence upon the date of the execution of this Consent Order by all the parties and will abate for the duration of any period in which Respondent ceases to be employed as a pharmacist. Upon employment as a pharmacist, Respondent shall notify the Department as to the name and address of his employer and the date he commenced employment.

10. That, during the period of probation, Respondent shall submit to the Department evaluations from his employer at three (3) month intervals relating to Respondent's conduct and performance; that it shall be the responsibility of Respondent to have his employer submit said reports.
11. That during the period of probation Respondent shall notify the Department forthwith of any changes in his employment, including the name and address of the new employer(s) and the reason for said change.
12. That Respondent shall continue treatment and/or counseling for substance abuse with a healthcare provider approved by the Board and shall continue such treatment and/or counseling as the healthcare professional rendering care deems appropriate. Further, it shall be the responsibility of Respondent to have his treating healthcare professional and/or counselor submit monthly progress reports to the Board. Said reports shall include treatment and/or counseling reports and random urine screening.
13. Respondent waives confidentiality of his treatment and will direct the healthcare professional rendering treatment to release any progress reports to the Department including, but not limited to, monthly progress reports and random urine and drug screening reports for the duration of the Respondent's treatment program.
14. This Consent Order will be transmitted forthwith to the healthcare professional which is hereby directed by the Respondent to notify the Department of any breach or termination by the Respondent of his treatment.
15. That should Respondent comply with the laws and regulations governing the practice of pharmacy during the period of probation and comply with the requirements of this Consent Order, he may apply to the Department for an unrestricted license to practice as a pharmacist.
16. That should Respondent fail to comply with the laws and regulations governing the practice of pharmacy and/or fail to comply with the terms of this Order, his license as a pharmacist shall be subject to suspension or other appropriate disciplinary action.

17. That this Consent Order shall remain in full force and effect pending further Order of the Board.

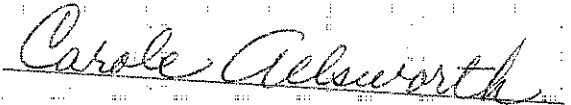
  
Steven Arruda, R.Ph.

  
Chairperson  
Board of Pharmacy

Ratified as an Order of the Board of Pharmacy this 21<sup>st</sup> day of June 2007.

CERTIFICATION

I do hereby certify that I have mailed the within Consent Order by certified mail, postage prepaid, to Steven Arruda, 100 Carolyn Drive, West Warwick, RI 02893 on this 21<sup>st</sup> day of May 2007.

  
Carole Aclsworth